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CITY OF WALNUT CREEK  
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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12

13 PROFESSIONAL CARE  
MANAGEMENT, INC. dba BELINDA M.  
DESIGNS, and BELINDA McNEELY,  
14

15 Plaintiffs,

16 vs.

17 CITY OF WALNUT CREEK,  
18 Defendant.  
19

Case No. C05-02452

**STIPULATION & REQUEST FOR BRIEF  
CONTINUANCE OF MOTION DATES &  
[PROPOSED] ORDER THEREON**

20 TO THE HONORABLE JUDGE ILLSTON:

21 By stipulation, the parties to this action hereby jointly request a minor continuance of the  
22 motion, briefing, and hearing deadlines for good cause and in good faith, as follows:

23 Since the recent case management conference, the parties stayed depositions to further  
24 explore settlement;

25 A settlement offer is pending and the City is considering same;

26 Depositions are no longer stayed, and Plaintiff is currently taking depositions of City of  
27 Walnut Creek employees;

28 Those depositions are likely to produce evidence admissible in support of, or in defense

1 of, the City of Walnut Creek's summary judgment motion;

2 Those depositions will not be completed until February 15, 2006;

3 As a result, the parties stipulate to the following, proposed, minor continuance of the  
4 current relevant case management dates:

<u>Item</u>	<u>Current Date</u>	<u>Proposed New Date</u>
City's MSJ	2/3/06	2/15/06
Plaintiff's Opposition	2/17/06	3/1/06
City's Reply	2/24/06	3/7/06
Hearing	3/10/06	3/17/06
Pretrial Conference	4/4/06	<b>No change.</b>
Trial	4/17/06	<b>No change.</b>

12 Alternatively, the parties stipulate to a lesser continuance, as the Court sees appropriate  
13 under the circumstances.

14 There have been no prior requests for continuances.

15 Dated: January 25, 2006

SELLAR, HAZARD, MCNEELY & MANNING

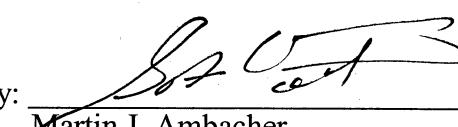
17 By: /s/

18 James Ficenec  
19 Attorneys for PROFESSIONAL CARE  
MANAGEMENT, INC. dba BELINDA M. DESIGNS,  
and BELINDA McNEELY

21 Dated: January 25, 2006

22 McNAMARA, DODGE, NEY, BEATTY, SLATTERY,  
PFALZER, BORGES & BROTHERS LLP

24 By:

  
25 Martin J. Ambacher  
26 Gary A. Watt  
27 Attorneys for Defendant  
28 CITY OF WALNUT CREEK

## **ORDER RE CONTINUANCE OF CASE MANAGEMENT DATES**

The stipulated request for continuance of the current dispositive motion and related dates is hereby:

[GRANTED]

[DENIED]

Good cause appearing, and the parties so stipulating, the current dates are amended as follows:

<u>Item</u>	<u>Current Date</u>	<u>New Date</u>
City's MSJ	2/3/06	[2/15/06] or [_____]
Plaintiff's Opposition	2/17/06	[3/1/06] or [_____]
City's Reply	2/24/06	[3/7/06] or [_____]
Hearing	3/10/06	[3/17/06] or [_____]
Pretrial Conference	4/4/06	[No change] or [_____]
Trial	4/17/06	[No change] or [_____]

IT IS SO ORDERED.

Dated: \_\_\_\_\_



The Honorable Susan Illston,  
Judge Of The United States District Court  
For The Northern District of California

The pretrial filing deadlines have been extended to March 28, 2006.

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